

1 BENJAMIN B. WAGNER  
 United States Attorney  
 2 LUCILLE GONZALES MEIS  
 Regional Chief Counsel, Region IX  
 3 Social Security Administration  
 ELIZABETH FIRER  
 4 Special Assistant United States Attorney

5 333 Market Street, Suite 1500  
 San Francisco, California 94105  
 6 Telephone: (415) 977-8937  
 Facsimile: (415) 744-0134  
 7 E-Mail: Elizabeth.Firer@ssa.gov

8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT  
 10 EASTERN DISTRICT OF CALIFORNIA

11 SACRAMENTO DIVISION

12 STELLA CARTER,

13 Plaintiff,

14 v.

15 MICHAEL J. ASTRUE,  
 Commissioner of  
 16 Social Security,

17 Defendant.

CIVIL NO. 2:10-cv-01949 GGH

STIPULATION AND ~~PROPOSED~~ ORDER

18  
 19 The parties hereby stipulate by counsel, with the Court's approval as indicated by issuance of the  
 20 attached Order, that Defendant shall have a SECOND extension of 30 days to respond to Plaintiff's motion  
 21 for summary judgment. The current due date is July 11, 2011, the new due date will be August 10, 2011.

22 This extension is being sought because the undersigned counsel for the Commissioner has had and  
 23 still has a heavy appellate work load for the months of June and July. Between June 10, when Defendant's  
 24 first extension was filed and July 11, 2011, counsel has had to or still has to review 5 appellate briefs and  
 25 write one of her own. The review work is onerous, time sensitive, out of Counsel's direct control, and  
 26 cannot be extended without involving the work loads of three attorneys in the Commissioner's office and  
 27 another in the Department of Justice. At the time Counsel filed the first extension, she did not have all of  
 28 the information necessary to plan this workload. Further, one of the issues Plaintiff raises is more

1 complicated than it appeared at first glance and Counsel needs more time to fully explore whether this matter  
2 may be appropriate for voluntary remand. Given the combination of these issues, Counsel is unable to  
3 complete the Commissioner's brief by July 11, 2011 and respectfully requests an additional 30 days.

4 The parties further stipulate that the Court's Scheduling Order shall be modified accordingly.

5 Respectfully submitted,

6 Dated: July 8, 2011

*/s/ Bess M. Brewer*  
(As authorized via email)  
BESS M. BREWER  
Attorney for Plaintiff

8 Dated: July 8, 2011

BENJAMIN B. WAGNER  
United States Attorney  
LUCILLE GONZALES MEIS  
Regional Chief Counsel, Region IX  
Social Security Administration

*/s/ Elizabeth Firer*  
ELIZABETH FIRER  
Special Assistant U.S. Attorney

14 Attorneys for Defendant

16 ORDER

17 APPROVED AND SO ORDERED.

18 No further extensions will be approved.

20 DATED: July 12, 2011

*/s/ Gregory G. Hollows*  
\_\_\_\_\_  
GREGORY G. HOLLOWS  
UNITED STATES MAGISTRATE JUDGE